

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt District

IN RE:

Assitow A. Thiam
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aka Assitou Thiam
aka Assitou Adje-Thiam

Debtor(s)

Bankruptcy No. 18-22575
Chapter 13

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

Now comes U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust by and through Law Offices of Jeffrey Nadel and Jeffrey Nadel, Esq. and Scott E. Nadel, Esq. and objects to the Chapter 13 Plan filed by the debtor, and as grounds therefore states as follows:

1. That the debtor herein filed a Voluntary Petition for Relief under Chapter 13 of Title 11 of the U.S. code on or about September 23, 2018, thus initiating case number 18-22575.
2. That U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust is the holder of a 1st Trust lien on the subject property, 122 Snowy Owl Drive, Silver Spring, MD 20901 and further known as tax ID # 13-02338666 in Montgomery County, Maryland.
3. That U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust filed a Proof of Claim for its lien on November 16, 2018 wherein they set forth a pre-petition claim in the amount of \$134,743.99.
4. That the debtor has filed a Plan which calls for payment to Caliver Home Loans, Inc. of pre-petition arrearages in the amount of \$100,000.00, thus unjustifiably reducing the rightful and timely filed claim of U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust.
5. That no objection to the said proof of claim has been filed and therefore the claim is presumed to be valid and in the amount stated. 11 USC § 502(a); Bankruptcy Rule 3001(f).
6. That therefore the plan is unfeasible and cannot be confirmed as a matter of law unless amended to provide for curing of the arrearage claim of U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust and to provide adequate funding for all payments, which are required to be made under the plan.

WHEREFORE, U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust prays that the Chapter 13 Plan as filed by the debtor be DENIED confirmation.

LAW OFFICES OF JEFFREY NADEL

By: /s/ Jeffrey Nadel
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By: /s/ Scott E. Nadel
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Attorney for U.S. Bank Trust, N.A., as Trustee
for LSF8 Master Participation Trust

Certificate of Service

I hereby certify this 29th day of November, 2018 that a copy of the foregoing Objection were mailed, postage prepaid, first class, to the following:

Assitow A. Thiam
122 Snowy Owl Drive
Silver Spring, MD 20901

Office of U.S. Trustee
6305 Ivy Lane
Suite 600
Greenbelt, MD 20770

The following parties have been served via ECF:

Donald L. Bell, Esquire
6305 Ivy Lane
Suite 214
Greenbelt, MD 20770

Timothy P. Branigan, Trustee
9891 Broken Land Parkway, Suite 301
Columbia, MD 21046

/s/ Scott E. Nadel
Scott Nadel